

122897-1

Serial No.: 10/647,889
Amdt. Dated November 17, 2004
Reply to Office action of September 27, 2004.

REMARKS

In the Office Action of September 27, 2004, claims 1-40 are pending wherein claims 1-37 were rejected and claims 38-40 were withdrawn from consideration. The Applicants respectfully traverse the rejections.

The Applicants confirm the election of Group (I) with species (A). The withdrawal of claims 38-40 is in effect.

35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) Rejections

The Examiner has rejected claims 1-37 under U.S.C. 102(b) as being anticipated by or, in the alternative, under U.S.C. 103(a) as obvious over Schmidhauser et al., US 5,830,974 (hereinafter '974 reference). The rejection of claims 1-37 is respectfully traversed.

As amended claim 1 of the instant invention teaches "a method for preparing an aromatic polyether polymer which comprises contacting, in a solvent of low polarity, substantially equimolar amounts of at least one alkali metal salt of a dihydroxy-substituted aromatic hydrocarbon, said alkali metal salt comprising less than about 50ppm water and at least one predried bis((N-(chlorophthalimido))aromatic compound, in the presence of a predried phase transfer catalyst which is substantially stable at the temperatures employed...."

Despite the similarities in the reaction conditions employed in the stated reference and the instant invention, the difference lies in the initial water content of the reactants used to make the polyether polymer. The '974 reference teaches a method to make a polyether polymer using "...solutions of bisphenol A disodium salt hexahydrate..." (column 4, lines 64-65) whereas the instant invention uses alkali metal salt of dihydroxy-substituted aromatic hydrocarbon comprising less than 50ppm of water, predried bis(N-(chlorophthalimido))aromatic compound, and predried phase transfer catalyst. Table 1 and paragraph [0065] in the specification of the instant invention illustrate the surprising result of the importance of the initial water content on the initial rate of reaction and the molecular weight of the product polymers. The embodiments and examples presented in the instant invention clearly indicate that this claimed condition is a necessary condition that was not taught nor suggested in the '974

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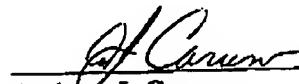
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reference. There is no teaching nor suggestion in the '974 reference that would lead one skilled in the art to conclude that the use of an alkali metal salt comprising less than about 50ppm water, predried bis((N-(chlorophthalimido))aromatic compound, and predried phase transfer catalyst would provide a superior result.

Because the '974 reference does not disclose or suggest each and every limitation of the claimed invention, the Applicants urge that the rejection under 35 U.S.C. 102(b) or, in the alternative, under 35 U.S.C. 103(a) of claims 1-37 as being unpatentable over '974 be withdrawn.

In view of the foregoing remarks, the Applicants believe that each of claims 1-37 is now in condition for allowance. The Applicants thus courteously solicit a review of the proposed amendments and prompt allowance of these claims. Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact the Applicants' undersigned representative at the telephone number below.

Respectfully submitted,



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